

In re TON ET AL., Application No. 09/776,794
Amendment D

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REMARKS

The Office action dated March 6, 2007, and the references cited have been fully considered. In response, please enter the amendments and consider the following remarks presented herein. Reconsideration and/or further prosecution of the application is respectfully requested.

Applicants appreciate the thoughtful examination of the claims, including the notification that claim 41 would be allowable if re-written in independent claim format.

In view of the long pendency of this application, Applicants have elected to cancel without prejudice all claims except the two claim sets including claims 36-41. Applicants reserve the right to seek coverage of these canceled claims in this or a continuation application, and do not concede the properness of the rejections (e.g., the citation of the use of access coordination messages appears to be in a different context than the reason cited by the Office). Applicants have added two new claim sets with new claims 42-47 corresponding to claims 36-41, with new claims 42-47 written as apparatus claims.

In regards to previously pending independent claims 36 and 37 (and new independent claims 42 and 43), the Office fails to present a *prima facie* rejection as it fails to address the recited limitations: "in response to a received resource active read request for a particular resource from a first task, locating an indication of the particular resource in a particular entry in the resource lock table structure, the particular entry identifying that the particular resource is currently read locked using a first semaphore; and in response: getting a second semaphore from a pool of free semaphores, updating a semaphore entry in the semaphore allocation table to reflect that the particular resource is associated with the second semaphore in addition to the first semaphore, updating the particular entry in the resource lock table structure to reflect an additional read lock associated with the particular resource, and signaling to the first task that the particular resource is available" (claims 36 and 42); and "in response to a received resource request for a particular resource from a first task, locating an indication of the particular resource in a particular entry in the resource lock table structure, the particular entry identifying that the

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particular resource is currently associated with a first semaphore; and in response: getting a second semaphore from a pool of free semaphores, updating a semaphore entry in the semaphore allocation table to reflect that the particular resource is associated with the second semaphore in addition to the first semaphore, and signaling to the first task the availability of the particular resource" (claims 37 and 43).

Applicants respectfully submit that the limitations related to the updating the semaphore allocation table to reflect the association of the first and second semaphore as recited in these claims are neither taught nor suggested by the prior art of record. Independent claims 36 and 37 stand rejected based on DeKoning et al., which teaches waiting for the availability of the requested semaphores in block 606 of FIG. 6, and not updating its semaphore table 400. For at least these reasons, Applicants respectfully submit that all claims are allowable.

This case has been pending for a long duration, including on Appeal with the Office re-opening prosecution. Applicants believe the claims are crafted to focus on one or more improvements in the art that are neither taught nor suggested by the prior art. Therefore, Applications request that all claims be allowed.

Moreover, assuming the Office action complies with MPEP § 706 and 37 CFR 1.104(c)(2), then the Office cited the best prior art references available. As the best prior art references available neither teaches nor suggests all the claim limitations of any pending claim, then all pending claims are believed to be allowable over the best prior art available, and Applicants request all rejections be withdrawn, all pending claims be allowed, and the application be passed to issuance.

Final Remarks. In view of the above remarks and for at least the reasons presented herein, all pending claims are believed to be allowable over all prior art of record, the application is considered in good and proper form for allowance, and the Office is respectfully requested to issue a timely Notice of allowance in this case. Applicant requests any and all rejections and/or objections be withdrawn. If, in the opinion of the Office, a telephone conference would expedite

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the prosecution of the subject application, the Office is invited to call the undersigned attorney, as Applicants are open to discussing, considering, and resolving issues.

Applicants request a one-month extension of time is required. Should a different extension of time be deemed appropriate, Applicants hereby petition for such deemed extension of time. Applicants further authorize the charging of Deposit Account No. 501430 for any fees that may be due in connection with this paper (e.g., claim fees, extension of time fees) as required in addition to the payment made herewith using Form PTO-2038.

Respectfully submitted,
The Law Office of Kirk D. Williams

Date: June 29, 2007

By



Kirk D. Williams, Reg. No. 42,229
One of the Attorneys for Applicant
CUSTOMER NUMBER 26327
The Law Office of Kirk D. Williams
PO BOX 61538, Denver, CO 80206-8538
303-282-0151 (telephone), 303-778-0748 (facsimile)

